IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Crl. Misc. No. 41574-M of 2006

DATE OF DECISION : 05.09.2006

Sadhu Singh alias Sadha Singh

.... PETITIONER

Versus

State of Haryana and others

..... RESPONDENTS

CORAM :- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

Present: Mr. Kapil Aggarwal, Advocate,
for the petitioner.

Mr. Partap Singh, Senior D.A.G., Haryana.

Mr. Satbir Gill, Advocate,
for respondent No.5.

* * *

Petitioner Sadhu Singh alias Sadha Singh, who is complainant in case FIR No. 111 dated 18.4.2006 under Sections 427, 447, 448, 34 IPC, registered at Police Station Ranian, District Sirsa, has filed this petition under Section 482 of the Code of Criminal Procedure for issuing direction to the police to complete investigation and arrest the accused in the aforesaid case. He has also prayed for restoration of possession of the house.

I have heard counsel for the parties.

Counsel for the respondent-State has informed that in the aforesaid FIR, after completion of the the investigation, respondents No.4 and 7 have been found innocent by the police. The other two accused i.e. respondents No.5 and 6 have been arrested and challan has been filed against them. It has been further stated that now case before the trial court is fixed for framing of charge against respondents No.5 and 6. In view of this

factual position, in my opinion, no further direction is required to be issued.

At this stage, counsel for the petitioner states that the petitioner-complainant has filed an application for restoration of possession and prays that a direction be issued to the trial court to decide the said application. In my opinion, no such application is maintainable before the criminal court, therefore, no such direction can be issued.

Dismissed.

September 05, 2006 **(SATISH KUMAR MITTAL)**
ndj **JUDGE**